

WINDELS MARX LANE & MITTENDORF, LLP

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*Special Counsel for Irving H. Picard, Trustee
for the Substantively Consolidated SIPA Liquidation
of Bernard L. Madoff Investment Securities LLC
and the Chapter 7 Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant,

In re:

BERNARD L. MADOFF,

Debtor.

Adv. Pro. No. 08-01789 (CGM)

SIPA Liquidation
(Substantively Consolidated)

IRVING H. PICARD, Trustee for the
Substantively Consolidated SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC
and Bernard L. Madoff,

Plaintiff,

v.

SOCIETE GENERALE PRIVATE BANKING
(SUISSE) S.A. (f/k/a SG Private Banking Suisse
S.A.), individually and as successor in interest to
Societe Generale Private Banking (Lugano-
Svizzera) S.A.; SOCGEN NOMINEES (UK)
LIMITED; LYXOR ASSET MANAGEMENT
INC. (f/k/a SG Asset Management, Inc.), as
General Partner of SG AM AI Premium Fund

Adv. Pro. No. 12-01677 (CGM)

L.P.; SG AUDACE ALTERNATIF (*f/k/a* SGAM AI Audace Alternatif), now acting by and through its manager, Lyxor Asset Management S.A.S.; SGAM AI EQUILIBRIUM FUND (*f/k/a* SGAM Alternative Diversified Fund), now acting by and through its liquidator, KPMG Advisory Sarl; LYXOR PREMIUM FUND (*f/k/a* SGAM Alternative Multi Manager Diversified Fund), now acting by and through its trustee, Societe Generale S.A.; SOCIETE GENERALE S.A., as Trustee for Lyxor Premium Fund and Successor in Interest to Banque de Reescompte et de Placement a/k/a Barep and to Societe Generale Asset Management Banque d/b/a Barep; SOCIETE GENERALE LUXEMBOURG (*f/k/a* Societe Generale Bank & Trust S.A.); OFI MGA ALPHA PALMARES (*f/k/a* Oval Alpha Palmares); OVAL PALMARES EUROPLUS; and UMR SELECT ALTERNATIF;

Defendants.

STIPULATION AND ORDER

Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa *et. seq.*, and the substantively consolidated Chapter 7 estate of Bernard L. Madoff, on the one hand, and defendants Societe Generale Private Banking (Suisse) S.A. (*f/k/a* SG Private Banking Suisse S.A.), individually and as successor in interest to Societe Generale Private Banking (Lugano-Svizzera) S.A.; Socgen Nominees (UK) Limited; Lyxor Asset Management Inc. (*f/k/a* SG Asset Management, Inc.), as General Partner of SG AM AI Premium Fund L.P.; SG Audace Alternatif (*f/k/a* SGAM AI Audace Alternatif), now acting by and through its manager, Lyxor Asset Management S.A.S.; SGAM AI Equilibrium Fund (*f/k/a* SGAM Alternative Diversified Fund), now acting by and through its liquidator, KPMG Advisory Sarl; Lyxor Premium Fund (*f/k/a* SGAM Alternative Multi Manager Diversified Fund), now acting by

and through its trustee, Societe Generale S.A.; SOCIETE GENERALE S.A., as Trustee for Lyxor Premium Fund and Successor in Interest to Banque de Reescompte et de Placement a/k/a Barep and to Societe Generale Asset Management Banque d/b/a Barep; Societe Generale Luxembourg (*f/k/a* Societe Generale Bank & Trust S.A.); OFI MGA Alpha Palmares (*f/k/a* Oval Alpha Palmares); Oval Palmares Europlus; and UMR Select Alternatif (collectively, “Defendants”), on the other, by and through their respective, undersigned counsel, hereby stipulate and agree as follows:

1.) Defendants shall respond to the complaint in the Action, Adv. Pro. No. 12-01677 (Bankr. S.D.N.Y. May 30, 2012), ECF No. 1, as amended by stipulation and order entered on April 18, 2022, ECF No. 133, by April 29, 2022. If any Defendants file a motion to dismiss the complaint, the Trustee shall respond to the motion by June 28, 2022, and such Defendants shall file their reply by July 28, 2022.

2.) If any Defendants file such a motion to dismiss the complaint, the parties shall seek oral argument on the motion at the Court’s first available convenience.

3.) The Trustee and Defendants reserve all rights, arguments, objections and defenses they may have, and entry into this Stipulation shall not impair or otherwise affect any such rights, arguments, objections, and defenses, including, without limitation, challenges to personal jurisdiction or to the jurisdiction of this Court.

4.) The above deadlines granted by this Stipulation are without prejudice to either party seeking future extensions of time.

Dated: New York, New York
April 18, 2022

WINDELS MARX LANE & MITTENDORF, LLP

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S.A., Socgen Nominees (UK) Limited, Lyxor Asset
Management Inc., SG Audace Alternatif, now acting by
and through its manager, Lyxor Asset Management
S.A.S., SGAM AI Equilibrium Fund, now acting by and
through its liquidator, KPMG Advisory Sarl, Lyxor
Premium Fund, now acting by and through its trustee,
Societe Generale S.A., Societe Generale S.A., as
Trustee for Lyxor Premium Fund and Successor in
Interest to Banque de Reescompte et de Placement a/k/a
Barep and to Societe Generale Asset Management
Banque d/b/a Barep, and Societe Generale Luxembourg*

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Management Inc., SG Audace Alternatif, now acting by
and through its manager, Lyxor Asset Management
S.A.S., SGAM AI Equilibrium Fund, now acting by and
through its liquidator, KPMG Advisory Sarl, Lyxor
Premium Fund, now acting by and through its trustee,
Societe Generale S.A., Societe Generale S.A., as
Trustee for Lyxor Premium Fund and Successor in
Interest to Banque de Reescompte et de Placement a/k/a
Barep and to Societe Generale Asset Management
Banque d/b/a Barep, and Societe Generale Luxembourg*

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*Attorneys for OFI MGA Alpha Palmares, Oval
Palmares Europlus, and UMR Select Alternatif*

SO ORDERED.

**Dated: April 19, 2022
Poughkeepsie, New York**



/s/ Cecelia G. Morris

**Hon. Cecelia G. Morris
U.S. Bankruptcy Judge**